

FILED

2016 OCT 27 PM 12: 53

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**COLLIN County**

**Deed of Trust Dated:** June 23, 2004

**Amount:** \$125,100.00

**Grantor(s):** PHUONG KIM NGUYEN and TRIEU VAN NGUYEN

**Original Mortgagee:** FULL SPECTRUM LENDING, INC.

**Current Mortgagee:** The Bank of New York Mellon, f/k/a The Bank of New York, as trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates Series 2004-6

STACY KEMP  
COUNTY CLERK  
COLLIN COUNTY, TEXAS  
BY: me DEPUTY

**Mortgagee Servicer and Address:** c/o DITECH FINANCIAL LLC, 4250 North, Fort Worth, TX 76137

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 2004-0099500

**Legal Description:** LOT 40, BLOCK U OF ELDORADO HEIGHTS, SECTION II, PHASE XII, AN ADDITION TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME K, PAGE 574, MAP RECORDS, COLLIN COUNTY, TEXAS.

**Date of Sale:** December 6, 2016 between the hours of 10:00 AM and 1:00 PM.

**Earliest Time Sale Will Begin:** 10:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the COLLIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

ROBERT ORTOLANI OR SHELLEY ORTOLANI, MARY MANCUSO, LIZ HACH, CHERYL HARRIS OR JOHN PHILLIP MARQUEZ have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGEE'S ATTORNEY**

KBS  
KRISTEN BATES, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2014-027241

[Signature]  
ROBERT ORTOLANI OR SHELLEY ORTOLANI, MARY MANCUSO, LIZ HACH, CHERYL HARRIS OR JOHN PHILLIP MARQUEZ  
c/o Tejas Trustee Services  
4100 Midway Rd Ste 1040  
Carrollton, TX 75007